

Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	0

### MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1182, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 33-5-10.2 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2000]:
- 6 **Chapter 10.2. Dearborn Superior Court**
- 7 **Sec. 1. There is established a court of record to be known as the**
- 8 **Dearborn superior court (referred to as "the court" in this**
- 9 **chapter). The court may have a seal containing the words**
- 10 **"Dearborn Superior Court, Dearborn County, Indiana". Dearborn**
- 11 **County comprises the judicial district of the court.**
- 12 **Sec. 2. (a) The court has one (1) judge, who shall be elected at**
- 13 **the general election every six (6) years in Dearborn County. The**
- 14 **judge's term begins January 1 following the election and ends**

1 December 31 following the election of the judge's successor.

2 (b) To be eligible to hold office as judge of the court, a person  
3 must:

4 (1) be a resident of Dearborn County;

5 (2) be less than seventy (70) years of age at the time of taking  
6 office; and

7 (3) be admitted to the bar of Indiana.

8 Sec. 3. (a) Except as provided in subsection (b), the court has the  
9 same jurisdiction as the Dearborn circuit court.

10 (b) The Dearborn circuit court has exclusive juvenile  
11 jurisdiction.

12 Sec. 4. The judge of the court has the same powers relating to  
13 the conduct of the business of the court as the judge of the  
14 Dearborn circuit court. The judge of the court also may administer  
15 oaths, solemnize marriages, and take and certify acknowledgments  
16 of deeds.

17 Sec. 5. The judge of the court shall appoint a bailiff and an  
18 official court reporter for the court. The judge may appoint a  
19 referee, commissioner, or other personnel as the judge considers  
20 necessary to facilitate and transact the business of the court. Their  
21 salaries shall be fixed in the same manner as the salaries of the  
22 personnel for the Dearborn circuit court. Their salaries shall be  
23 paid monthly out of the treasury of Dearborn County as provided  
24 by law. Personnel appointed under this section continue in office  
25 until removed by the judge of the court.

26 Sec. 6. The clerk of the court, under the direction of the judge of  
27 the court, shall provide order books, judgment dockets, execution  
28 dockets, fee books, and other books for the court, which shall be  
29 kept separately from the books and papers of other courts.

30 Sec. 7. The court shall hold its sessions in the Dearborn County  
31 courthouse in Lawrenceburg, Indiana, or in such other places in  
32 the county as the Dearborn county executive may provide. The  
33 county executive shall provide and maintain a suitable courtroom  
34 and other rooms and facilities, including furniture and equipment,  
35 as may be necessary. The Dearborn County fiscal body shall  
36 appropriate sufficient funds for the provision and maintenance of  
37 these rooms and facilities.

38 Sec. 8. The jury commissioners appointed by the judge of the

1 Dearborn circuit court shall serve as the jury commissioners for  
 2 the court. Juries shall be selected in the same manner as juries for  
 3 the Dearborn circuit court. The grand jury selected for the  
 4 Dearborn circuit court shall also serve as the grand jury for the  
 5 court as may be necessary.

6 Sec. 9. The judge of the Dearborn circuit court may, with the  
 7 consent of the judge of the court, transfer any action or proceeding  
 8 from the circuit court to the court. The judge of the court may,  
 9 with the consent of the judge of the circuit court, transfer any  
 10 action or proceeding from the court to the circuit court.

11 Sec. 10. The judge of the Dearborn circuit court may, with the  
 12 consent of the judge of the court, sit as a judge of the court in any  
 13 matter as if the judge of the circuit court were an elected judge of  
 14 the court. The judge of the court may, with the consent of the judge  
 15 of the circuit court, sit as a judge of the circuit court in any matter  
 16 as if the judge of the court were an elected judge of the circuit  
 17 court.

18 Sec. 11. The court has a standard small claims and  
 19 misdemeanor division."

20 Page 3, after line 17, begin a new paragraph and insert:

21 "SECTION 8. [EFFECTIVE JULY 1, 2000] (a) On July 1, 2000,  
 22 the Dearborn county court is abolished.

23 (b) Any case pending in the Dearborn county court after the  
 24 close of business on June 30, 2000, is transferred on July 1, 2000,  
 25 to the Dearborn superior court established by this act. All cases  
 26 transferred under this SECTION that are eligible to be heard by  
 27 the standard small claims and misdemeanor division shall be  
 28 transferred to the standard small claims and misdemeanor division  
 29 of the court. A case transferred under this SECTION shall be  
 30 treated as if the case were filed in the Dearborn superior court.

31 (c) On July 1, 2000, all property and obligations of the Dearborn  
 32 county court become the property and obligations of the Dearborn  
 33 superior court.

34 (d) The initial judge of the Dearborn superior court added by  
 35 this act shall be the person who is the Dearborn county court judge  
 36 on June 30, 2000. The term of the initial judge begins July 1, 2000,  
 37 and ends December 31, 2002. The initial election of a judge for the  
 38 Dearborn superior court added by this act shall be the general

1        **election conducted on November 5, 2002. The term of the initial**  
2        **elected judge begins January 1, 2003.**

3        **(e) This SECTION expires January 2, 2003."**

4        Renumber all SECTIONS consecutively.

(Reference is to HB 1182 as introduced.)

**and when so amended that said bill do pass.**

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Representative Dvorak